

COUNTY SHERIFF'S OFFICE



Ben F. Johnson, Sheriff

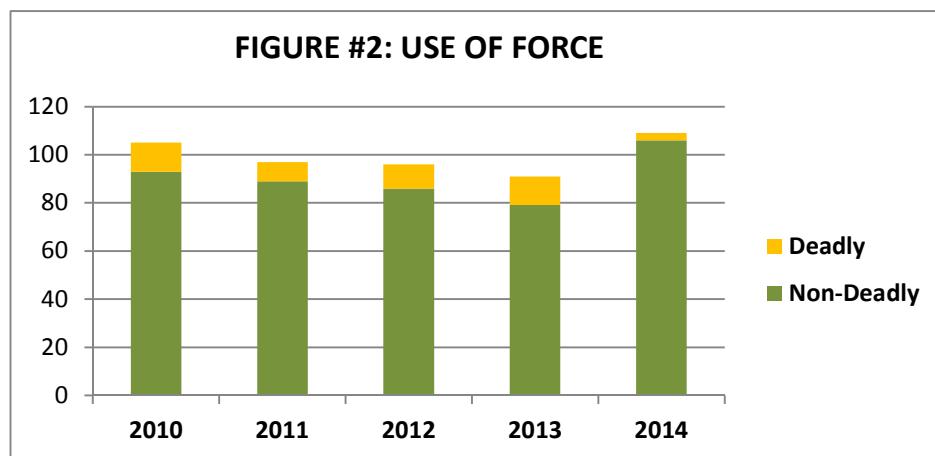
2014 ANNUAL ANALYSES: Use of Force and Pursuits

In accordance with Standard Directives 1.1. Use of Deadly Force, 1.3 Use of Non-Deadly Force and 41.2 Motor Vehicle Apprehension, the Professional Standards Section shall complete an annual analysis of all pursuits and use of force to include use of deadly force and less than lethal force (non-deadly), policies and practices. The purpose of the annual analyses is to provide an additional means to address training deficiencies, use of force trends among Deputies, and for protection of the Deputy, the Sheriff's Office, and citizens.

FIGURE #1: Five Year Statistical Review Summary

	2010	2011	2012	2013	2014
Total Arrests (Source: UCR)	17,371	16,120	15,693	15,319	14,072
Deadly Force Incidents	6	2	3	8	3
Deadly Force Persons	3	0	1	4	1
Deadly Force Vicious Animals	3	1	1	2	1
Deadly Force Accidental Discharge	0	1	1	2	1
Euthanize Severely Injured Animals*	6	6	7	4	n/a
Non-Deadly Force Incidents	93	89	86	79	106
Total Use of Force Incidents	105	97	96	91	109
Total Vehicle Pursuits	3	4	10	6	2

*Effective 04/13, reports involving the humane euthanizing of seriously injured animals require immediate supervisory review only and are not tracked by IA.



2014 USE OF FORCE

During 2014, there were a total of 14,072 arrests made by the Volusia County Sheriff's Office (Ref.: 2014 UCR statistics). In effecting these arrests, the number of incidents requiring use of force in response to subject resistance was 108 of the 109 total incidents, or less than 0.8% of total arrests. The remaining incident involving force was due to an accidental discharge with no injury or property damage.

FIGURE #3: 2012-2014 Comparison

USE OF FORCE:	2012 INCIDENTS	2013 INCIDENTS	2014 INCIDENTS
DEADLY FORCE INCIDENTS	3	8	3
Deadly Force - Persons	1	4	1
Deadly Force - Vicious Animal	1	2	1
Deadly Force - Accidental Discharge	1	2	1
NON- DEADLY FORCE INCIDENTS	86	79	106
TOTAL INCIDENTS OF FORCE	89	87	109

While arrests decreased by 8% over 2013, subject resistance increased by 27% from a total of 85 incidents (excludes accidental discharges) in 2013 to 108 incidents in 2014 (excludes accidental discharge).

DEADLY FORCE:

Of the 109 incidents of force in 2014, there were 2 incidents of deadly force with a gun and 1 accidental discharge:

- 1 - Deadly Force, Person (#14-25681)
- 1 - Deadly Force, Vicious Animal (#14-13587)
- 1 - Deadly Force, Accidental Discharge (#14-8590)

Case 14-25681: Resulted in the death of the individual; the incident was fully investigated by FDLE and found to be justified; the State Attorney's Office concurred and no further action was required. The Deputy's actions were in compliance with established policy and procedure.

Case 14-13587: Resulted from a vicious dog attack upon the Deputy. The Deputy fired 5 shots at the dog striking it once at which point it retreated. The dog survived, was treated for its injury and was returned to the owners. The incident was found justified and within agency policy on use of deadly force to protect from great bodily harm.

Case 14-8590: Resulted in accidental discharge from the SWAT member's rifle due to interference with the trigger mechanism caused by equipment in the SWAT member's entry vest. Upon investigation, it was determined that the location of the radio on the vest was in too close proximity to the rifle when in carry position. This allowed the radio antenna to enter the trigger well as the SWAT member bent down to free a speaker cord. This scenario was able to be re-enacted as part of the investigation. While there was no violation of policy and all tactical protocols were followed in the accidental discharge, a proactive briefing was conducted on equipment/weapon carry.

In all above incidents, actions of the deputies and agency follow-up procedures were in compliance with established policy. The incidents were fully investigated by FDLE (#14-25681) and I.A., reviewed by the Sheriff and Command Staff and found justified and within policy.

NON-DEADLY FORCE:

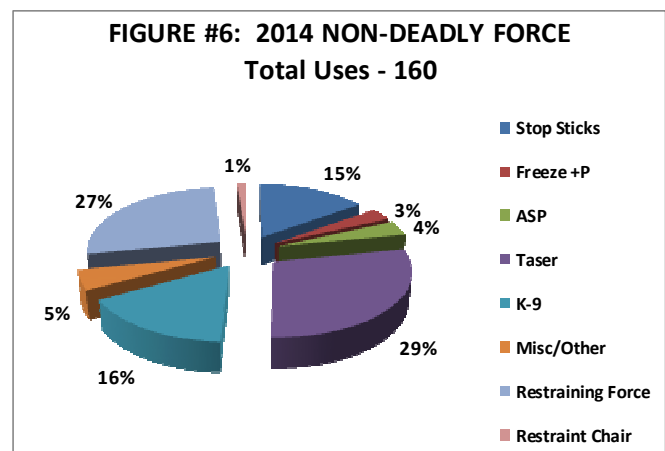
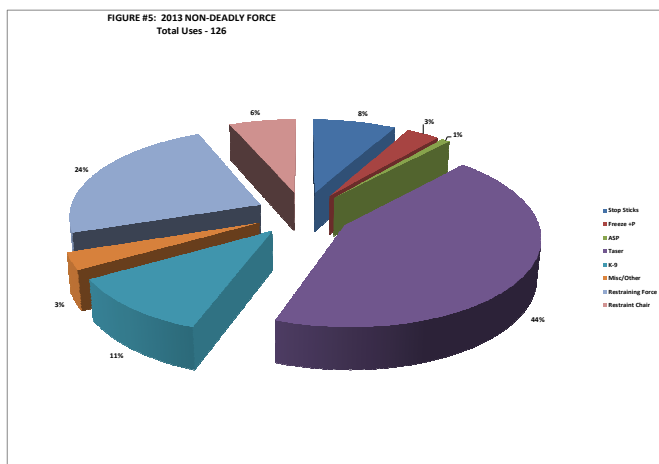
Based on the number of subjects and the level of subject-resistance, some incidents require multiple-deputy response and/or transition between more than one type of non-deadly force/weapon. Subsequently, more than one “use” of force per incident may be reported, resulting in a higher number of “uses” when compared to the number of “incidents” responded to.

In 2014, deputies responded to 106 different incidents requiring use of non-deadly force in response to resistance. These 106 incidents required a combined total of 160 uses of various types of non-deadly force. The table below (figure 4) breaks down the non-deadly force by type and corresponding number of uses:

FIGURE #4: BREAKDOWN OF NON-DEADLY FORCE BY TYPE

TYPE OF USE:	2012 Number of Uses	2013 Number of Uses	2014 Number of Uses
Stop Sticks	18	10	24
Freeze +P	0	4	5
ASP	5	1	6
Taser	62	55	46
K-9	13	14	26
Drag-Stabilized Impact	1	0	0
Misc./Other (hobble, handcuffs, misc)	2	4	8
Restraining Force	37	30	43
Restraint Chair	12	8	2
TOTAL COMBINED USES:	150	126	160

NON-DEADLY USE OF FORCE BY TYPE: 2013-2014 COMPARISON



Top Four Types of UOF/Response to Resistance:

In reviewing the overall categories of UOF, the top 4 uses of less lethal force included (highest to lowest):

46 uses of Taser (29%)
43 uses of Restraining Force (27%)
26 uses of K-9 (16%)
24 uses of Stop Sticks (15%)

TASER: During 2014, the Taser remained the top choice of less-lethal weapons in response to resistance but dropped in overall use percentage from a 3-year average of 42% to 29% of the total uses. This may be a cumulative result of 2014's increases in use of restraining force, K-9 and multiple-Deputy deployment of Stop Sticks in assistance of other agencies.

RESTRAINING FORCE: Restraining force represents 27% of overall less-lethal force used. This represents a 3% increased usage over 2013 percentages. However, 6 of the 43 restraining force uses (14%) occurred during a single incident in which a prisoner attempted to escape from custody at the Justice Center. Excluding this one incident, use of restraining force remains at the 3-year average of 24% use.

K-9: During 2014, there were a total of 26 uses, or 16% of overall less-lethal force. This represents a 5% increase in usage over 2013. Deployments were justified and within policy guidelines. In 2 of the 26 uses, the K-9 Handler and an on-scene Deputy were bit. Supervisory and administrative review indicated all policy and procedures were followed and the unintentional K-9 targets were the result of a highly charged scene.

STOP SICKS: During 2014, there were 19 incidents with a total of 24 deployments of Stop Sticks, representing 15% of overall less-lethal force. The VCSO had a total of 2 vehicle pursuits; the majority of the deployments occurred while assisting other agencies. In 3 of the incidents assisting other agencies, 7 deployments were made accounting for almost 30% of the Stop Stick usage. All deployments were justified and found in compliance with policy.

FREEZE+P & ASP:

There were 5 uses of Freeze +P and 6 uses of the ASP during 2014. All uses were found justified and within the scope of policy.

RESTRAINT CHAIR:

There were 2 uses of the Restraint Chair. All uses were justified, well documented and within policy.

MISCELLANEOUS/OTHER:

There were 8 uses of miscellaneous less-lethal force including hobbles, a leg sweep, and handcuffs. One incident involved use of force to gain entry to a residence. All incidents received supervisory and administrative review and were found to be justified and within policy.

RESPONSE TO RESISTANCE ANALYSIS:

The following chart (Figure #7) is a 5-year comparison in the numbers of less-lethal incidents to the subsequent uses of force in response to subject resistance. A "use-to-incident ratio" is also provided for proportionate comparisons between years:

FIGURE #7: LESS-LETHAL INCIDENTS VS. USES (RESPONSES TO RESISTANCE)

5-YEAR COMPARISON:	2010	2011	2012	2013	2014
Total Arrests	17,371	16,120	15,693	15,319	14,072
Total Less-Lethal Incidents	93	89	86	79	106
Total Uses (Responses to Resistance)	134	106	150	126	160
Uses (Response to Resistance) Per Incident Ratio	1.44	1.19	1.74	1.59	1.51
% Change in Ratio	NA	-17%	+46%	-9%	-5%

Analysis of the above chart shows that while the numbers of arrests in 2014 decreased by 8% over 2013, the number of incidents in which Deputies encountered resistance increased 34% from 79 to 106. The total number of “uses” also increased over 2013 by 27%, from 126 to 160.

Still, proportionate uses per incident (represented above as a ratio) are at a 3-year low with an average of 1.51 uses per incident, decreasing 5% over 2013 and decreasing 13% over 2012 totals.

Contributing factors for this 3-year low may include the agency’s commitment to frequent state-of-the-art training with emphasis on real-life scenarios as well as professional command presence and proficient use of interpersonal skills on the part of the Deputies.

Multiple-Deputy Response:

Of the 106 incidents responded to by the agency, a total of 36 incidents (34%) required a combination of multiple-deputy response/tactics and accounted for 86 uses (54%) of non-deadly force:

2-Deputy response = 28 incidents (26%); 56 uses (35%)

3-Deputy response = 5 incidents (5%); 15 uses (9%)

4+-Deputy response = 3 incidents (3%); 15 uses (9%)

NOTE: 8 of the 106 incidents (8%) each required the response of 3 or more deputies and accounted for a total of 30 uses of non-deadly force, or almost 20% of the total uses of non-deadly force during 2014.

Single-Deputy Response/ Use of Force Transition:

The remaining 70 incidents (66%) required single deputy response to resistance and accounted for 74 uses of non-deadly force. Of those 70 incidents, 3 incidents (4%) required the deputy to transition from one type of force to a second (does not reflect order of transition):

1 - Freeze +P/Taser

1 - Freeze +P/Hobble

1 – Taser/ Hobble

2014 REVIEW OF POLICY AND PRACTICES:

A review of policy, procedures and practices during 2014 indicates that less than 1% of all arrests required use of force (UOF); 1 UOF required deadly force against the subject (0.007% of total arrests). Of those incidents requiring force in response to subject resistance, all were found to be justified and in compliance with established policy and procedures.

Should a UOF not be found justified, policy provides for the appropriate level of progressive discipline, to include remedial training, counseling, written reprimand and/or suspension/termination.

Supervisory investigation of all UOF incidents is well documented and in accordance with policy. At the conclusion of an administrative review through chain of command, each UOF is entered into the agency's Administrative Investigations Management (A.I.M.) program as part of the agency's overall tracking and personnel early warning system. Internal Affairs utilizes a designated e-mail address for UOF reporting to ensure immediate electronic notification and monitoring of any new UOF incidents, pending receipt of the completed administrative review. The Training Director also receives a copy of all UOF reports for review. This review provides for early detection of any noted deficiencies, which can then be addressed with the respective deputy for immediate correction and/or addressed in Deputy refresher training.

UOF policy Standards Directive 1.1 Use of Deadly Force was revised on 09/23/14 to better define and separate the use of deadly force against vicious animals from the dispatching of seriously injured animals, the latter of which was revised to require routine supervisory review only; documented administrative review through chain of command in cases of humanely dispatching seriously injured animals is no longer required.

The Training Section continues to provide real-life scenario training and is very proactive in providing hands-on initial and refresher training along with enhancing proficiency to ensure re-enforcement of learned skills and the development of new skills/ advanced techniques. Additional training throughout the year includes a myriad of roll-call training bulletins and videos that assist in the overall development of well-rounded law enforcement professionals. In addition, the Training Section posts and maintains available in-service, advanced and specialized training courses offered through the Training Section, or Daytona State College. A review of approved training courses confirms that agency personnel are in fact requesting and attending courses offered at both locations.

Community involvement practices and services throughout the agency during 2014 were also reviewed, as reflected in the agency's monthly and annual reports. Although the true value and impact this interaction has on overall UOF incidents is difficult to measure due to its up-front emphasis on prevention and trust/partnership-building, it is clear that the agency is very proactive in this vital area of service to the community. This investment in the community is crucial to maintaining public trust, especially during highly emotional events.

A review of the agency's social media interactions via the PIO throughout the year indicates that Facebook and Twitter are well-received sources of information exchange with the public and can quickly provide status and clarification on various incidents.

In conclusion, the agency's overall practices - from use of force reporting, administrative review accountability, commitment and investment in professional training/ development; proactive community involvement; hosting of benefits and special events; working with youth through PAL, various camps and activities; proactive problem solving and information exchange with the public- have all combined to significantly contribute to the agency's overall success in keeping its UOF incidents to a minimum and a 3-year low.

- PURSUIT ANALYSIS ON FOLLOWING PAGE -

FIGURE #8: 2014 PURSUIT MATRIX

Incident	Time	Reason for Pursuit	Method of Termination	Result in Crash	Injuries/Hospital	Avg/Max mph	Total Distance miles/time	Violator Eluded/Arrested	Within Policy
14-17203	01:50	Assist Other Agency (Seminole County) — Carjacking	Vehicle became disabled in wooded area	No	No	80	8.1 miles/10 min.	Sole subject arrested	Yes
14-20036	02:19	Possible Aggravated Battery (Knife) — Fleeing and Eluding	Vehicle Abandoned / Subject fled on foot	No	No — Transport to Hospital : self-inflicted wounds to abdomen	97	2.72 miles/1 min/41 sec.	Arrested	Yes

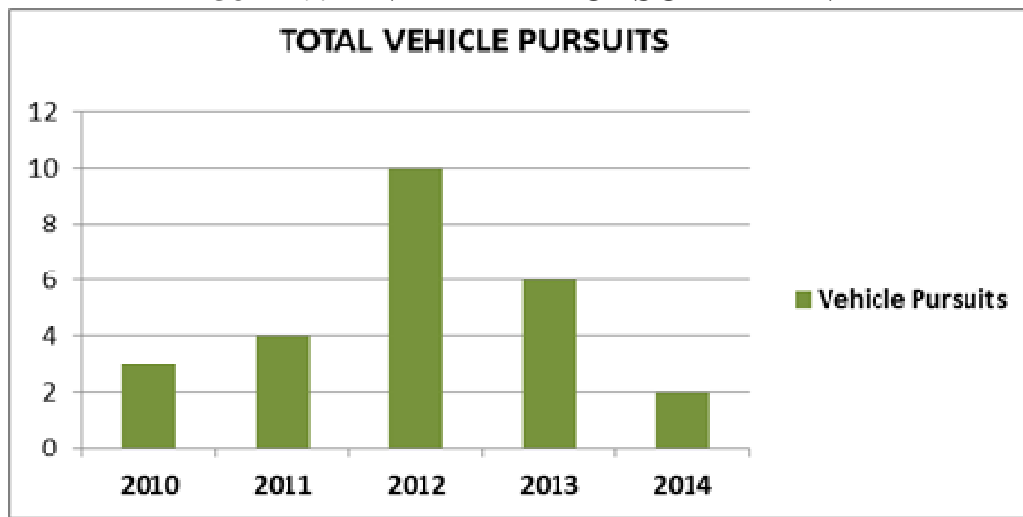
In both of the above incidents, Deputies were found justified in initiating the motor vehicle pursuits and conducted themselves during the pursuit with professional restraint and in accordance with established policy. Both pursuits occurred in the early morning hours between 01:50 hrs. – 02:19 hrs.

Further review shows that both pursuits were terminated by the respective subject; no injuries requiring transport to the hospital were sustained as a result of the pursuits. However, the subject in Case 14-20036 was transported by Air One to Halifax for medical treatment due to a previously self-inflicted injury to the abdomen.

Upon administrative review of Case 14-20036, the District Lieutenant found that the respective Sergeant, as pursuit supervisor, failed to properly supervise in accordance with policy and failed to proactively engage with deputies by providing direction or obtaining pertinent information within a reasonable amount of time. A secondary supervisor provided direction as the pursuit circumstances rapidly changed.

The primary supervisor received counseling and remedial training regarding pursuit management in accordance with Standards Directive 41.2 Motor Vehicle Apprehensions.

FIGURE #9: FIVE-YEAR PURSUIT TREND



Historical comparison of pursuits over the past 5-year period, shows an average of 5 pursuits per year. 2014 represents the 5-year-trend low with 2 pursuits. These 2 pursuits represent a 67% reduction over 2013 and an 80% reduction over the 5-year-trend high of 10 pursuits in 2012.

2014 REVIEW OF PURSUIT POLICY AND PRACTICES:

A review of agency policy and practices indicates good use of additional resources such as Air One, K-9 and support vehicles. Primary and support vehicles are functioning in their proper roles and support of other agencies is within agency guidelines.

During supervisory and administrative review, reports are monitored to ensure all pertinent information is captured and reflected in the incident report. To standardize the collection of data, the Motor Vehicle Apprehension Form (#091614.001) was implemented in September 2014.

Coordination with other agencies during multi-jurisdictional pursuits has resulted in successful use of Stop Sticks, pursuit termination and suspect apprehension.

The agency trains all sworn officers in emergency vehicle operations and schedules additional training in use of PIT maneuvers. Only those Deputies with documented proficiency in PIT maneuvers may initiate such a pursuit termination technique. Since approved for use June of 2009, no use of the PIT maneuver has been made to date.

Supervisory and administrative reviews are being conducted and documented in accordance with policy and forwarded through chain-of-command. As with all incidents involving pursuits, Command Staff conducts final review of all pursuits for justification and policy adherence at scheduled weekly staff meetings as presented by IA.

In addition to review of all pursuits, the agency conducts administrative reviews through chain of command on all motor vehicle apprehensions as a precautionary measure to ensure established procedures are being followed and that response does not elevate to pursuit mode in violation of policy. This review

facilitates the early detection of potential training needs, ensures continued Deputy safety, and preserves the intent of policy and integrity of practice.

A combination of strict pursuit guidelines, training, supervisory authorization and review, and professional deputy restraint continue to keep the number of pursuits to minimum numbers. In addition, the supervisory authorization and the review process itself adds a level of accountability and an evaluation element to each incident which re-enforces the practice of individual professional restraint.

This review process also provides a means to address any policy issues in a timely manner to ensure that practice continues to reflect procedure; no change to policy was required during this review period.

Professional Standards

VOLUSIA COUNTY SHERIFF'S OFFICE



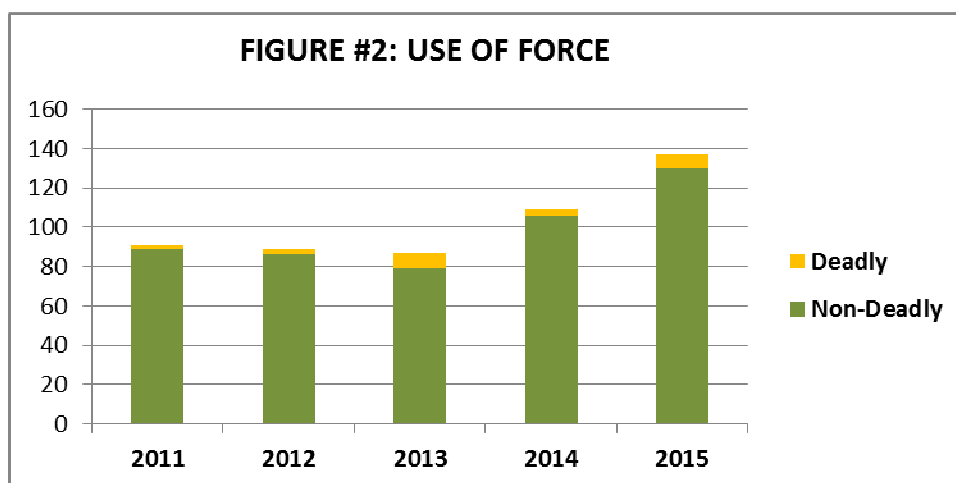
Ben F. Johnson, Sheriff

2015 ANNUAL ANALYSES: Use of Force and Pursuits

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FIGURE #1: Five Year Statistical Review Summary

	2011	2012	2013	2014	2015
Total Arrests (Source: UCR)	16,120	15,693	15,319	14,072	13,477
Deadly Force Incidents	2	3	8	3	7
Deadly Force Persons	0	1	4	1	4
Deadly Force Vicious Animals	1	1	2	1	3
Deadly Force Accidental Discharge	1	1	2	1	0
Non-Deadly Force Incidents	89	86	79	106	130
Total Use of Force Incidents	91	89	87	109	137
Total Vehicle Pursuits	4	10	6	2	8



2015 USE OF FORCE

During 2015, there were a total of 13,477 arrests made by the Volusia County Sheriff's Office (Ref.: 2015 UCR statistics). In effecting these arrests, the number of incidents requiring use of force in response to subject resistance was 136 of the 137 total incidents, or 1% of total arrests. The remaining incident involved an accidental discharge of a Taser with no injury or property damage.

FIGURE #3: 2012-2014 Comparison

USE OF FORCE:	2013 INCIDENTS	2014 INCIDENTS	2015 INCIDENTS
DEADLY FORCE INCIDENTS - TOTAL	8	3	7
Deadly Force - Persons	4	1	4
Deadly Force - Vicious Animal	2	1	3
Deadly Force - Accidental Discharge	2	1	0
NON- DEADLY FORCE INCIDENTS - TOTAL	79	106	130
TOTAL INCIDENTS OF FORCE	87	109	137

While arrests decreased by 4% over 2014, subject resistance increased 26% from a total of 109 incidents in 2014 to 137 incidents in 2015.

DEADLY FORCE:

Of the 137 incidents of force in 2015, there were 7 incidents of deadly force with a gun. Three (3) of the incidents involved vicious dogs; investigation found all 3 to be justified and within policy. Four (4) incidents involved persons:

15-005942: While executing a lawful search warrant on the residence, the Investigator encountered a white male; during the encounter, the Investigator discharged his department issued Glock 35, .40 caliber one time striking the subject in the face. FDLE fully investigated and submitted findings to the State Attorney's Office; a grand jury convened finding no probable cause for criminal charges and rendering "No True Bill". The shooting was found justified and in compliance with policy.

15-007939: While responding to a domestic disturbance, units were advised the female reporting party's husband had a gun and was pointing it at her. Upon arriving, the deputy observed a physical altercation between the female and male on the porch; the female was screaming "he's got a gun" and the subjects did not respond to the deputy's commands. Shots were fired and the male retreated into the house; the female hid behind a truck in the yard. Approximately 4 minutes later the male was placed under arrest without further incident. FDLE fully investigated and found justified; the shooting was found in compliance with agency policy and closed.

15-025457: At 2330 hours, two deputies observed a suspicious vehicle at the Kangaroo Store. The first deputy observed the vehicle taillights were out and conducted a traffic stop. Upon approaching the vehicle, the driver began shooting at deputies. Both responding deputies returned fire, striking the driver and his passenger. The driver was fatally wounded during the exchange, struck four times; the passenger's injury was not life threatening with

one bullet striking her shoulder. The incident was fully investigated by FDLE and found justified; the shooting was found in compliance with agency policy and closed.

15-033570: Deputy responded to assist on-scene deputies with a theft and was confronted by the suspect armed with a handgun. The deputy shot his agency issued handgun at the suspect who was fatally wounded as a result of the incident. Pending - this case is under active investigation by FDLE as of the time of this report.

NON-DEADLY FORCE:

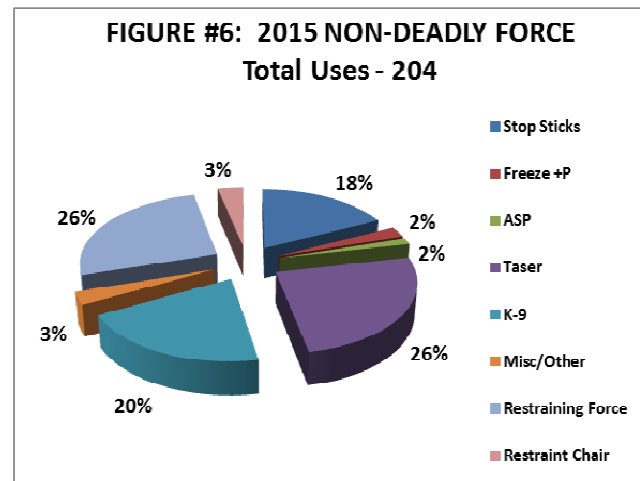
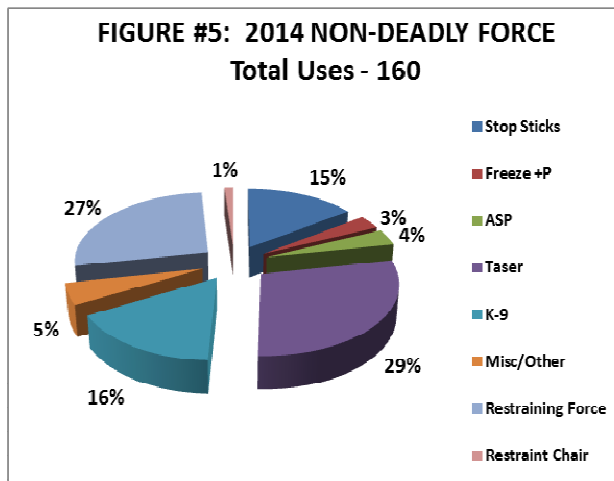
Based on the number of subjects and the level of subject-resistance, some incidents require multiple-deputy response and/or transition between more than one type of non-deadly force/weapon. Subsequently, more than one “use” of force per incident may be reported, resulting in a higher number of “uses” when compared to the number of “incidents” responded to.

In 2015, deputies responded to 130 different incidents requiring use of non-deadly force in response to resistance. These 130 incidents required a combined total of 204 uses of various types of non-deadly force. The table below (figure 4) breaks down the non-deadly force by type and corresponding number of uses:

FIGURE #4: BREAKDOWN OF NON-DEADLY FORCE BY TYPE

TYPE OF USE:	2013 Number of Uses	2014 Number of Uses	2015 Number of Uses
Stop Sticks	10	24	36
Freeze +P	4	5	5
ASP	1	6	3
Taser	55	46	52
K-9	14	26	41
Drag-Stabilized Impact	0	0	0
Misc./Other (hobble, handcuffs, misc)	4	8	6
Restraining Force	30	43	54
Restraint Chair	8	2	7
TOTAL COMBINED USES:	126	160	204

NON-DEADLY USE OF FORCE BY TYPE: 2014-2015 COMPARISON



Top Four Types of UOF/Response to Resistance:

In reviewing the overall categories of UOF, the top 4 categories of less lethal force include (highest to lowest):

54 uses of Restraining Force (26%)

52 uses of Taser (26%)

41 uses of K-9 (20%)

36 uses of Stop Sticks (18%)

Graphic representation found in *Figure 5* and *Figure 6* indicates that when compared to the previous year, the various categories of use remain somewhat proportionally consistent with minor fluctuations. [Note: This observation will be monitored to see if proportional consistency in response to resistance can be used as an indicator of successful application in the field of the techniques and tactics learned in training.]

RESTRAINING FORCE: Restraining force represents 26% of all less-lethal force used during 2015. Although the total number of uses increased 26% over 2014 (from 43 to 54 uses), the number of incidents responded to in which deputies encountered subject resistance also increased 23% from 106 incidents requiring less-lethal force to 130 incidents.

Further analysis indicates that the 2015 level of restraining force in response to resistance continues to track closely with the previous 3-year average of 24%, presenting no specific trends or patterns of change in this category other than to acknowledge the overall increase in resistance by those arrested.

TASER: Taser use in response to resistance dropped in percentage of use from a 3-year average of 42% to 26% of the total uses. No specific trends or patterns of change were identified; an increase in K-9 deployments (noted below) is attributed to the Taser's overall drop in percentage. Of the 52 uses of Taser, all but one (1) use was justified and in compliance with policy; the remaining use was due to accidental discharge. The deputy was found in violation of policy and received counseling.

K-9: In 2015, there were a total of 41 K-9 deployments, an increase of 58% over the 26 deployments in 2014. While total deployments have increased by 58%, the percentage of deployments as a category of less-lethal force remains somewhat consistent, increasing 4%. The majority of the increase in deployments is attributed to:

- increased availability of fully trained dogs on assignment in 2015 (previous 2 years reflect absence due to retired/replaced older dogs resulting in vacancies while new dogs attended K-9 schools/certifications);
- significant rise in the requests for assistance by local police departments in the county;
- increase in overall subject resistance and failure to comply with law enforcement commands in general has also contributed to the number of K-9 deployments. When interviewed by the arresting K-9 deputy, subjects acknowledged they fully understood the commands given by the deputy prior to deploying, but thought they could “beat” or “outsmart” the dog.

Supervisory and administrative reviews indicate all deployments were justified and in compliance with policy.

STOP SICKS: During 2015, there was a total of 36 deployments of Stop Sticks, 9 of the deployments (25%) occurred during active pursuits while assisting other agencies in pursuit of subjects having just committed violent felonies. All deployments were justified and found in compliance with policy and sound tactics.

FREEZE+P & ASP:

There were 5 uses of Freeze +P and 3 uses of the ASP during 2015. All uses were found justified and within the scope of policy.

RESTRAINT CHAIR:

There were 7 uses of the Restraint Chair. All uses were justified, well documented and within policy. Numbers in this category fluctuate based on need to protect subject from harming self and others.

MISCELLANEOUS/OTHER:

There were 6 uses of miscellaneous less-lethal force including hobbles (3), leg sweep (1), hand (1), and dog repellant (1). All incidents received supervisory and administrative review and were found to be justified and within policy.

RESPONSE TO RESISTANCE ANALYSIS:

The following chart (Figure #7) is a 5-year comparison in the numbers of less-lethal incidents to the subsequent uses of force in response to subject resistance. A “use-to-incident ratio” is also provided for proportionate comparisons between years:

FIGURE #7: LESS-LETHAL INCIDENTS VS. USES (RESPONSES TO RESISTANCE)

5-YEAR COMPARISON:	2011	2012	2013	2014	2015
Total Arrests	16,120	15,693	15,319	14,072	13,477
Total Less-Lethal Incidents	89	86	79	106	130
Total Uses (Responses to Resistance)	106	150	126	160	204
Uses (Response to Resistance) Per Incident Ratio	1.2	1.7	1.6	1.5	1.6
% Change in Ratio	N/A	+42%	-6%	-5%	+6%

Analysis of the above chart shows that while the numbers of arrests in 2015 decreased by 4% over 2014, the number of incidents involving active resistance increased 23% from 106 to 130. The total number of “uses” also increased over 2014 by 28%, from 160 to 204.

NOTE: Proportionate response per incident (represented above as a ratio) remains consistent; this may be attributed in part to the agency’s commitment to scenario-based training with emphasis on professional command presence and proficient use of interpersonal skills and de-escalation tactics on the part of the Deputies.

Multiple-Deputy Response:

Of the 130 incidents responded to by the agency, a total of 42 incidents (32%) required a combination of multiple-deputy response and accounted for 114 uses (55%) of non-deadly force:
2-Deputy response = 29 incidents (22%); 62 uses (29%)
3-Deputy response = 10 incidents (8%); 37 uses (18%)

4+-Deputy response = 3 incidents (2%); 15 uses (7%)

NOTE: 13 of the 130 incidents (10%) each required the response of 3 or more deputies and accounted for a total of 52 uses of non-deadly force, or almost 26% of the total uses of non-deadly force during 2015.

Single-Deputy Response/ Use of Force Transition:

The remaining 88 incidents (68%) required single deputy response to resistance and accounted for 90 uses of non-deadly force. Of those 88 incidents, 2 incidents (2%) required the deputy to transition from one type of force to a second (does not reflect order of transition):

2 – Restraining Force/ Taser transitions

2015 REVIEW OF POLICY AND PRACTICES:

A review of policy, procedures and practices during 2015 indicates that 1% of all arrests required use of force (UOF); 4 incidents (0.03% of total arrests) required deadly force against the subject.

Of those incidents requiring use of force in response to subject resistance, all but 2 incidents were found to be justified and in compliance with established policy and procedures. In the 2 remaining instances, the respective deputies received counseling in accordance with established progressive disciplinary procedures.

Supervisory investigation of all UOF incidents is well documented and in accordance with policy. At the conclusion of an administrative review through chain of command, each UOF is entered into the agency's Administrative Investigations Management (A.I.M.) program as part of the agency's overall tracking and personnel early warning system. Internal Affairs utilizes a designated e-mail address for UOF reporting to ensure immediate electronic notification and monitoring of any new UOF incidents, pending receipt of the completed administrative review.

The Training Director also receives a copy of all UOF reports for review as they occur. This review provides for early detection of any noted deficiencies, which can then be addressed with the respective deputy for immediate correction and/or addressed overall in the Annual Deputy Refresher training.

Standards Directive 1.1 Use of Deadly Force was reviewed in coordination with the Florida Department of Law Enforcement (FDLE), which investigates all deputy-involved shootings for the VCSO. Revisions were made in reference to enhanced pre- and post-incident protocols to strengthen the preservation of potential evidence until secured by the lead investigator. In addition, specific responsibilities of backup and/or witness deputies and supervisors were better defined and added to policy. Revisions went into effect 10/2015.

The Training Section continues to provide real-life scenario training and is very proactive in providing hands-on initial and refresher training along with enhancing proficiency to ensure re-enforcement of learned skills and the development of new skills/ advanced techniques.

Training Section posts and maintains available in-service, advanced and specialized training courses offered through the Training Section, or Daytona State College. A review of approved

training courses confirms that agency personnel are in fact requesting and attending courses offered at both locations. It is believed that this continued career development combined with scenario-based training provides the added value and skills required to maintain professional presence during potentially volatile situations.

Community involvement practices and services remain active as reflected in the agency's monthly and annual reports. It is clear that the agency is very proactive in this vital area of service to the community. This investment in the community and partnership-building is crucial to maintaining public trust, especially during highly emotional events.

A review of the agency's social media interactions via the PIO throughout the year indicates that Facebook and Twitter are routinely used for communicating with the public. It is practice to allow a free exchange of feedback/ responses from the community, both negative and positive; this approach continues to be well-received and establishes agency transparency. This form of communicating in real time with the public has proven very valuable in getting the agency's message and support out quickly especially during critical incidents.

The agency's overall practices – from its use of force training, required reporting, administrative review accountability, agency investment in professional training/ career development; proactive community involvement, education and open communication with the public - have all combined to significantly contribute to the agency's overall success in keeping its UOF incidents to a minimum.

- PURSUIT ANALYSIS ON FOLLOWING PAGE -

FIGURE #8: 2015 PURSUIT MATRIX

Incident	Time	Reason for Pursuit	Method of Termination	Result in Crash	Injuries/Hospital	Avg/Max mph	Total Distance miles/time	Violator Eluded/Arrested	Within Policy
15-4195	08:36	Failure to wear seatbelt (unauthorized)	Vehicle Accident	Yes	Yes (Driver)	55	.8 miles/ 53 seconds.	Sole subject arrested	No deputy received 24 hr. suspension and 30 day extension of probation
15-4816	00:05	Assist Flagler S.O. armed carjacking	Stop Stick deployment x2; vehicle stopped on dead end cul-de-sac All 4 suspects bailed & ran	No	No	43	2.9 miles/ 4 min.	All 4 suspects arrested	Yes
15-5550	17:47	Assist DBPD – shots fired from fleeing felony vehicle; requested K-9 Unit	Suspect vehicle crashed	Yes	No	30/32	.5 miles/ 57 seconds	No	Yes
15-7239	04:53	Assist OCPD- Aggravated Assault on officer during attempted felony traffic stop Intentional attempt to hit Officer w/ fleeing vehicle	Stop Stick deployment x2	Yes	No	56	1.6 miles/ 1 min. 42 sec.	Both subjects arrested w/o incident	Yes
15-8706	02:35	Assist SDPD – Aggravated Battery on LEO Officer call for help after being intentionally struck by suspect's vehicle	Stop Stick deployment 2 occupants bailed and fled on foot	No	Officer struck w/ vehicle Suspect: DBPD K-9 bite/ TOT SDPD for their charges and transport to hospital for treatment	NA	15 miles/ NA	Both subjects arrested by originating agency	Yes

Incident	Time	Reason for Pursuit	Method of Termination	Result in Crash	Injuries/Hospital	Avg/Max mph	Total Distance miles/time	Violator Eluded/Arrested	Within Policy
15-11469	13:22	Violent Felony - Carjacking in progress from Orange and Seminole Co.	Stop Stick deployment	Yes	No	70/130	5 miles/3 min.	All 3 subjects arrested w/o incident	Yes
15-20590	11:28	Violent Felony – Carjacking w/ physical force	Stop Stick deployment x2	Yes — 3 Veh.	Yes — Both subjects in suspect vehicle deceased; No LEO's injured; Minor inj. to secondary parties – EVAC treated on scene	76/90	7.6 miles/6 min.	Deceased at scene	Yes
15-21373	06:45	Violent Felony – Carjacking	Stop Stick — Suspect jumped from moving veh./ fled	Yes — Unoccupied veh. rolled into pole	Minor cuts/ — EVAC treated on scene No injuries to LEO's	80/120	10.7 miles/8 min.	K-9 tracked/ located; arrested w/o incident. No K-9 bite	Yes

There were 8 pursuits during 2015. One (1) of the 8 pursuits did not meet authorized criteria for initiating a pursuit. The respective deputy was found in violation of agency policy; the deputy was counseled on policy, received a 24hr suspension without pay and extension of probation.

All 7 of the remaining pursuits involved violent felonies; 4 of these 7 pursuits resulted from assisting other agencies with in-progress pursuits.

Of the 7 authorized pursuits:

3 occurred after midnight between 00:05-06:45 hrs. (43%)

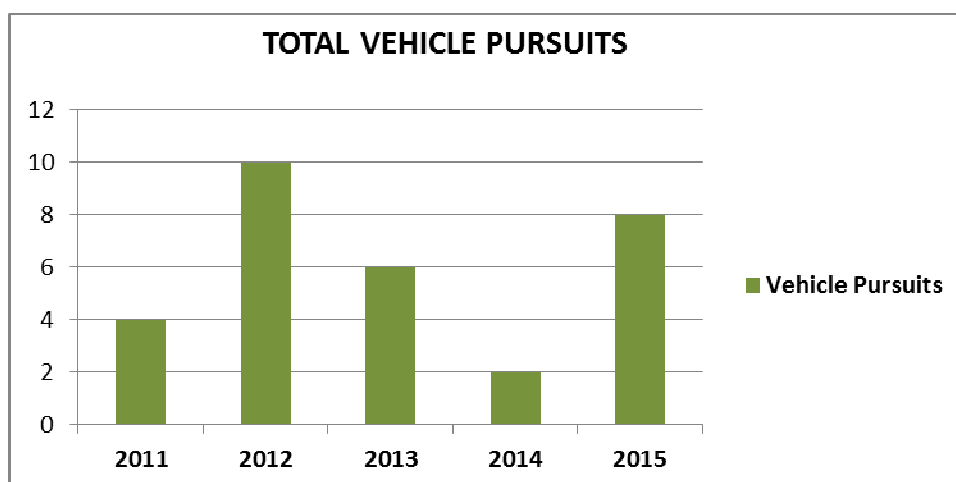
4 occurred between 11:28-17:47hrs. (57%)

4 involved a violent carjacking (57%)

1 shots fired at LEO from fleeing vehicle (14%)

2 Aggravated Assault/Battery on LEO (1 Battery- vehicle struck officer); (29%)

FIGURE #9: FIVE-YEAR PURSUIT TREND



Historical comparison of pursuits over the past 5-year period, shows a 5-year average of 6 pursuits per year. 2014 represents the 5-year-trend low with 2 pursuits. There were 8 pursuits in 2015 (4 while assisting other agencies) for a 300% increase over 2014 and a 33% increase over the 5-year average of 6 pursuits.

2015 REVIEW OF PURSUIT POLICY AND PRACTICES:

A review of agency policy and practices indicates good use of additional resources such as Air One, K-9 and support vehicles. Primary and support vehicles are functioning in their proper roles. Professional supervisory monitoring and control of each pursuit incident through clear and timely direction is also being adhered to.

Coordination with other agencies during multi-jurisdictional pursuits has resulted in successful use of Stop Sticks, pursuit termination and suspect apprehension.

The agency trains all sworn officers in emergency vehicle operations and schedules additional training in use of PIT maneuvers. Only those Deputies with documented proficiency in PIT maneuvers may initiate such a pursuit termination technique. Since approved for use June of 2009, no use of the PIT maneuver has been made to date.

Supervisory and administrative reviews are being conducted and documented in accordance with policy and forwarded through chain-of-command. As with all incidents involving pursuits, Command Staff conducts final review for justification and policy adherence at scheduled weekly staff meetings as presented by IA.

In addition to review of all pursuits, the agency conducts administrative reviews through chain of command on all motor vehicle apprehensions as a precautionary measure to ensure established procedures are being followed and that response does not elevate to pursuit mode in violation of policy. This review facilitates the early detection of potential training needs, ensures continued deputy safety, and preserves the intent of policy and integrity of practice.

A combination of strict pursuit guidelines, training, supervisory authorization and review, and professional deputy restraint continue to keep the number of pursuits to minimum numbers. In

addition, the supervisory authorization and the review process itself adds a level of accountability and an evaluation element to each incident which re-enforces the practice of individual professional restraint.

This review process also provides a means to address any policy issues in a timely manner to ensure that practice continues to reflect procedure; no change to policy was required during this review period.

Professional Standards
May 26, 2016

VOLUSIA COUNTY SHERIFF'S OFFICE



Sheriff Michael J. Chitwood

2016 ANNUAL ANALYSES: Use of Force and Pursuits

In accordance with Standard Directives 1.1. Use of Deadly Force, 1.3 Use of Non-Deadly Force and 41.2 Motor Vehicle Apprehension, the Professional Standards Section shall complete an annual analysis of all pursuits and use of force to include use of deadly force, less-lethal force, and agency policies and practices.

The purpose of the annual analyses is to provide an additional means outside of the administrative review process to identify and address training deficiencies/opportunities, use of force trends among Deputies, and for protection of the Deputy, the Sheriff's Office, and citizens.

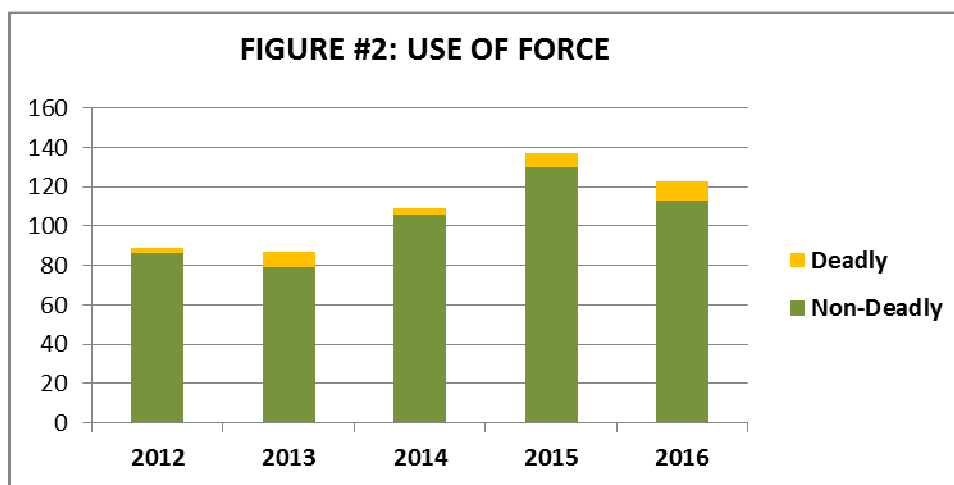
FIGURE #1: Five Year Statistical Review Summary

	2012	2013	2014	2015	2016
Total Arrests (Source: UCR)	15,693	15,319	14,072	13,477	12,454
Total Index Crime Rate (Source: UCR)	2698	2396	2227	2118	2053
Deadly Force Incidents	3	8	3	7	10
Deadly Force Persons	1	4	1	4	6
Deadly Force Vicious Animals	1	2	1	3	4
Deadly Force Accidental Discharge	1	2	1	0	0
Less-Lethal Force Incidents	86	79	106	130	113
Total Use of Force Incidents	89	87	109	137	123
Total Vehicle Pursuits	10	6	2	8	3

2016 USE OF FORCE

During 2016, a total of 12,454 arrests were made by the Volusia County Sheriff's Office (Ref.: 2016 UCR statistics). In effecting these arrests, the number of incidents requiring use of force in response to subject resistance was 123 incidents, or less than 1% of total arrests.

Of the 123 incidents, 6 incidents resulted in the use of deadly force against persons; 4 incidents involved use of firearm on a vicious animal. Of the remaining 113 less-lethal incidents, 0.4% of arrests required use of restraining force while 0.6% resulted in use of a less-lethal weapon in order to gain compliance. The remaining 99%, or 12,331 arrests, were made without incident.



FIVE-YEAR TREND ANALYSIS:

During the five years from 2012 – 2016, the UCR Index Crime Rate shows a 24% decrease; arrests have also steadily decreased by almost 21% over the same time period. However, the number of *response to resistance* incidents increased by 38%, from 89 in 2012 to 123 in 2016.

Further review of this upward trend line indicates that even with the overall decrease in crime and number of arrests, there continues to be an emerging increase in subject resistance and failure to comply with the lawful commands given by Deputies. This trend of active and aggressive resistance has been on the increase over the past 2-3 years and is reflected nationally, as well. As a result, the VCSO is reviewing various response tactics and emphasizing de-escalation techniques including time/distance repositioning when reasonably safe to do so.

Interestingly, although the number of incidents involving subject-resistance have increased, the actual number of “uses” of force per incident remains steady at an average of 1.5 uses of force per incident over the 5-year trend line, as illustrated in Figure #6 (p.6). This may be an indicator of consistent field-application of scenario-based training, good use of Deputy command-presence, and overall professional resolution to force scenarios without use of *excessive* force or escalation.

DEADLY FORCE:

Of the 123 incidents of force in 2016, there were 10 incidents of deadly force with a firearm. Four (4) of the incidents involved vicious dogs; investigation found all 4 to be justified and within policy. Six (6) incidents involved persons.

At the time of this report, three (3) of the six (6) investigations were concluded and found by FDLE to be justified; the SAO reviewed the findings and concurred no further review was required. The remaining 3 incidents are still pending completion of investigation by the Florida Department of Law Enforcement (FDLE) and/or review by State Attorney’s Office (SAO):

[Source: IA 2016 Annual Report] -

16-12291 – On May 14, 2016, Deputy Miguel Kent stopped to check on a disabled vehicle parked on the shoulder of S.R. 415. The occupant, Jeffery Mark Sims, failed to comply with continuous verbal commands given by Deputy Kent, and was fatally shot as he reached for a handgun located within the vehicle. FDLE completed the investigation and turned the case information over to the State Attorney’s Office (SAO) for review. The SAO determined “*no further action*” would be taken by their office. [JUSTIFIED]

16-13710 – On May 29, 2016, Sergeant Justin Stewart, Deputy Joshua Sheen, and Deputy Michael Coker responded to an armed robbery. The victim's stated the suspect had fled the area in a 4-door silver Honda passenger car. Sergeant Stewart observed a vehicle matching the suspect vehicle traveling west on SR-472 within Deland, FL. Sergeant Stewart, Deputy Coker, and Deputy Sheen initiated a felony stop on the vehicle on South Woodland Boulevard, at the intersection of Firehouse Road. Erin Finney, the driver of the vehicle, exited the vehicle and complied with deputy's commands. The passenger, Donald Edward Brown III, exited the passenger side of the vehicle and failed to comply with the deputies' commands. Brown was fatally shot after he was observed by deputy's placing his right hand behind his back then aggressively thrusting the hand in the direction of the deputies while holding a knife. FDLE completed the investigation and turned the case information over to the State Attorney's Office (SAO) for review. The SAO determined "*no further action*" would be taken by their office. On 12/13/2016, this incident was presented to the sheriff and determined to be justified. [JUSTIFIED]

16-18982 – On July 24, 2016, Deputy Eric Cheek, Deputy Bryan Luoma, and other District Four deputies responded to a domestic disturbance at 1958 Alameda Drive in Deltona, FL. At the time of dispatch, the reporting party (Ms. Victoria Rosado) advised her husband (Mr. Emmanuel Rosado) was holding her against her will inside of the residence. Upon Deputy Cheek's arrival, he overheard Ms. Rosado screaming from within the residence. Deputy Cheek approached the residence and announced himself, then gave verbal commands ordering the occupants to exit the residence. A male voice inside the residence stated, "You're gonna die today." A gunshot was fired from within the residence by Mr. Rosado. Deputy Cheek repositioned himself, and Mr. Rosado fired gunshots at Deputy Cheek. Deputy Cheek retreated to a tree in the front yard of the residence for cover and discharged his department issued Glock 35, .40 caliber handgun. Mr. Rosado continued to fire gunshots at Deputy Cheek. While Deputy Cheek was under fire, Deputy Luoma arrived on scene. Mr. Rosado continued to discharge his firearm toward Deputy Cheek. Deputy Luoma discharged his department issued AR-15 rifle. After Deputy Luoma discharged his firearm, Mr. Rosado surrendered to deputies in the rear of the residence. Neither Mr. Rosado nor anyone else was struck by deputies' gunfire. Ms. Rosado sustained a gunshot wound to her buttocks area as a result of Mr. Rosado's gunfire. On 09/13/2016, this incident was presented to the sheriff and determined to be justified. [JUSTIFIED]

16-29002 – On November 14, 2016, Deputy Cody Cochran, Deputy Corey Rittenour, and other deputies from Districts two and three responded to 3626 Plantation Drive in Ormond Beach, for an attempted suicide. Upon arrival deputies confronted Michael Hartman in the driveway of the residence. When deputies ordered Hartman to surrender, he fled on foot to the gun shop/garage area of the residence. Hartman brandished a firearm and shot several times. Deputies Cochran and Rittenour returned fire. Hartman was pronounced deceased at the scene. This incident is still actively being investigated by FDLE at the time of this report. [PENDING]

16-29643 – On November 22, 2016, District Four Crime Suppression Unit (CST) deputies received a Crime Stoppers tip regarding a wanted person in the 600 block of Wing Terrace in Deltona. While investigating the tip, deputies attempted to stop a motorcycle with a male rider, subsequently the rider fled from them; however, deputies located the motorcycle behind a residence on Wing Terrace. The rider of the motorcycle was observed fleeing on foot through the backyard. K9 handler Deputy Brandon Ellis and his K9 partner began to track the suspect; the K9, along with Deputy Ellis and Sergeant Brodie Hughes, acquired the suspect in the woods. The

suspect was armed with a firearm and deputies discharged their department issued firearms. This incident is still actively being investigated by FDLE at the time of this report. [PENDING]

16-30735 – On December 05, 2016, deputies responded to an armed suspicious person in Orange City. Deputies made contact with the suspect at 604 Lantern Lane. The suspect was armed with a handgun and refused to surrender to deputies. A less lethal shotgun was utilized on the suspect; however, it had no effect. The suspect proceeded to point his firearm at deputies. Deputies ordered the suspect to drop the firearm; however, he refused. Sergeant Justin Stewart, Sergeant Kyle Bainbridge, Sergeant Joel Hernandez, Detective Miguel Roman, and Deputy Austen Webber all fired at the suspect. The suspect later identified as Westley Daum was pronounced deceased at the scene. This incident is still actively being investigated by FDLE at the time of this report. [PENDING]

LESS-LETHAL FORCE:

Based on the number of subjects and the level of subject-resistance, some incidents require multiple-deputy response and/or transition between more than one type of less-lethal force/weapon. Subsequently, more than one “use” of force per incident may be reported, resulting in a higher number of “uses” when compared to the number of “incidents” responded to.

In 2016, deputies responded to 113 different incidents requiring use of less-lethal force in response to subject(s) resistance. These 113 incidents required a combined total of 168 uses of various types of less-lethal force. The table below (figure 3) breaks down the less-lethal force by type and corresponding number of uses:

FIGURE #3: BREAKDOWN OF NON-DEADLY FORCE BY TYPE

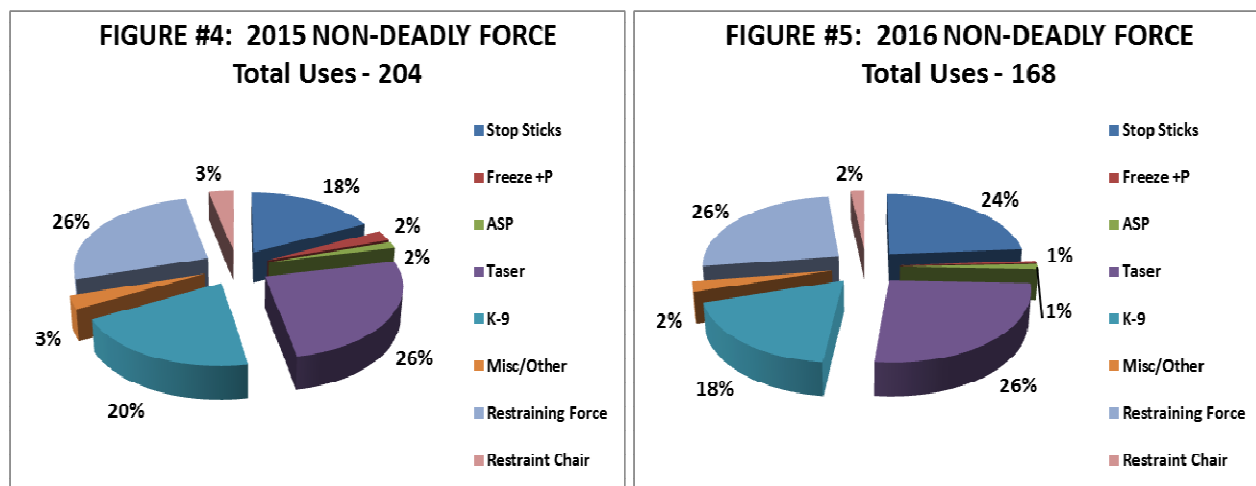
TYPE OF USE:	2012 No. of Uses	2013 No. of Uses	2014 No. of Uses	2015 No. of Uses	2016 No. of Uses
Stop Sticks	18	10	24	36	40
Freeze +P	0	4	5	5	1
ASP	5	1	6	3	2
Taser	62	55	46	52	44
K-9	13	14	26	41	31
Drag-Stabilized Impact	1	0	0	0	0
Misc./Other (hobble, handcuffs, misc)	2	4	8	6	4
Restraining Force	37	30	43	54	43
Restraint Chair (ERC)	12	8	2	7	3
TOTAL COMBINED USES:	150	126	160	204	168

Top Four Less-Lethal Options Utilized:

(Highest to lowest):

- 44 uses of Taser (26%)
- 43 uses of Restraining Force (26%)
- 40 uses of Stop Sticks (24%)
- 31 uses of K-9 (18%)

LESS-LETHAL FORCE BY TYPE: 2015-2016 COMPARISON



Graphic representation found in *Figures 4* and *5* above indicates that when compared to the previous year, the various categories of use remain somewhat consistent with minor fluctuations. [Note: This observation will be monitored to see if this consistency in response can be used as an indicator of successful application in the field of the techniques and tactics learned in training.]

ANALYSIS BY TYPE OF FORCE:

TASER: Taser use in response to resistance remains in the top 4 less-lethal use of force options, with 26% of the total (44 uses). No specific trends or patterns of change were identified; all uses were administratively reviewed through the chain of command and all were found to be in compliance with policy. Taser continues to be a valuable less-lethal option for Deputies to use with little or no lasting effects or injury to the subject.

RESTRAINING FORCE: Restraining force represents 26% of all less-lethal force used during 2016 (43 uses). This represents $\frac{1}{4}$ of all the uses of force indicating Deputies are applying tactics learned in training when attempting to use the least amount of force needed to gain compliance.

STOP STICKS: During 2016, there were a total of 40 deployments of Stop Sticks. No deployments occurred during active pursuits, but rather while assisting other agencies in pursuit of subjects having just committed violent felonies and as an overall strategy to avoid engaging in active pursuit. All deployments were justified and found in compliance with policy and sound tactics.

K-9: In 2016, there were a total of 31 K-9 deployments, a decrease of 24% over the 41 deployments in 2015. Supervisory and administrative reviews indicate all deployments were justified and in compliance with policy. This drop may be contributed to the normalizing of requests for assistance by local police departments within the county, which had significantly increased in 2015.

FREEZE+P & ASP:

There was 1 use of Freeze +P and 2 uses of the ASP during 2016. Low use of these less-lethal options has been experienced for the entire 5-year review. All uses were found justified and within the scope of policy.

RESTRAINT CHAIR:

There were 3 uses of the Restraint Chair. All uses were justified, well documented and within policy. Numbers in this category fluctuate based on need to protect subject from harming self and others.

MISCELLANEOUS/OTHER:

There were 4 uses of miscellaneous less-lethal force including hobbles (3) and a front kick (1). All incidents received supervisory and administrative review and were found to be justified and within policy.

INCIDENTS vs. USES:

The following chart (Figure #6) is a 5-year comparison in the numbers of less-lethal incidents to the subsequent uses of force in response to subject resistance.

NOTE: A “*use-to-incident ratio*” is also provided for a proportionate comparison between years:

FIGURE #6: LESS-LETHAL INCIDENTS VS. USES IN RESPONSE TO RESISTANCE

5-YEAR COMPARISON:	2012	2013	2014	2015	2016
Total Arrests	15,693	15,319	14,072	13,477	12,454
Total Less-Lethal Incidents	86	79	106	130	113
Total Uses of Force (Responses to Resistance)	150	126	160	204	168
<i>Average Uses of Force per Incident (Ratio)</i>	1.7	1.6	1.5	1.6	1.5
<i>Average Uses of Force per Arrest (Ratio)</i>	.010	.008	.011	.015	.013

Analysis of the above chart shows that while the number of less-lethal incidents and uses of force may increase/fluctuate, the proportionate use of force per incident (represented above as a ratio) remains consistent with the 5-year trend average of 1.5 uses per incident.

This consistent application of force regardless of the spikes and fluctuations in incidents over each of the 5 years may be attributed in part to the agency’s commitment to scenario-based training with emphasis on professional and effective command presence, swift control of the situation and subsequent de-escalation on the part of the Deputies.

Multiple-Deputy Response:

Of the 113 incidents responded to by the agency, a total of 34 incidents (30%) required a combination of *multiple-deputy* response and accounted for 86 uses (51%) of less-lethal force:

2-Deputy response = 27 incidents (24%); 65 uses (39%)

3-Deputy response = 6 incidents (5%); 17 uses (10%)

4-Deputy response = 1 incident (.8%); 4 uses (restraining only) (2%)

Single-Deputy Response/ Use of Force Transition:

The remaining 79 incidents (70%) required single deputy response to resistance and accounted for 82 uses (49%) of less-lethal force.

12 incidents required transition from one type of force to another (does not reflect order of transition):

4 – Restraining Force/ Taser transitions

3 – K-9/Restraining Force

2 – Hobble/ERC (rest. Chair)

- 1 – ASP/Hobble
 - 1 – Taser/Hobble
 - 1 – ASP/Taser/Restraining Force
-

2016 REVIEW OF USE OF FORCE POLICY AND PRACTICES:

A review of policy, procedures and practices during 2016 indicates that less than 1% of all arrests required use of force in response to subject resistance; 6 incidents (.05% of total arrests) required deadly force against the subject.

Administrative Reviews: Supervisory investigation of all UOF incidents is well documented and in accordance with policy. At the conclusion of an administrative review through chain of command, each UOF is entered into the agency's Administrative Investigations Management (A.I.M.) program as part of the agency's overall tracking and personnel early warning system. Internal Affairs utilizes a designated e-mail address for UOF reporting to ensure immediate electronic notification and monitoring of any new UOF incidents, pending receipt of the completed administrative review.

The Training Director also receives a copy of all UOF reports for review as they occur. This review provides for early detection of any noted deficiencies, which can then be addressed with the respective deputy for immediate correction, or overall in the Annual Deputy Refresher training. Any needed policy changes can also be addressed in a timely manner.

Personnel Early Warning: Upon review and evaluation of the *Personnel Early Warning System*, the management software has consistently been recommended for replacement due to its limited features and functionality. *IA-Pro* was recommended to replace AIM and was budgeted for purchase in the 2016-17 fiscal year. It is anticipated that IA-Pro is scheduled for implementation by late spring/ summer of this year.

2016 Policy changes: *Directive 1.1 Use of Deadly Force* was reviewed in coordination with the Florida Department of Law Enforcement (FDLE), which investigates all deputy-involved shootings for the VCSO. Extensive revisions were made and implemented 08/25/16 in reference to specific responsibilities of backup and/or witness deputies and supervisors were better defined and added to policy. Additionally, the creation of 2 support handouts were created and distributed to all sworn personnel:

- *Deputy Involved Shooting–Use of Force Guidelines*
- *Deputy Involved Shooting–Use of Force Information*

In the latter part of 2016, the VCSO began reviewing the transition of issued shotguns to that of less-lethal munitions as an additional readily available less-lethal option. This transition is in-progress.

A comprehensive review and revision of all use of force guidelines, procedures and training is currently ongoing. As an added tier of objective evaluation, the Sheriff has invited P.E.R.F. to review the agency's use of force guidelines in the upcoming months and to provide recommendations for enhancements to policy and training.

Training: Training Section continues to provide real-life, scenario-based training and is very proactive in providing hands-on initial and refresher training along with enhancing

proficiency to ensure re-enforcement of learned skills and the development of advanced techniques required to maintain professional presence during potentially volatile situations.

Community Engagement: Under the new leadership of Sheriff Chitwood, a new comprehensive restructuring of, and recommitment to, the community engagement process has begun. This investment in community outreach and partnership-building is vital to maintaining public trust and engaging all segments of the community. This trust is crucial to the agency, especially during highly emotional incidents/events. The increased use of social media is also raising awareness and opening doors in this area of service.

Overall, the agency's practices – from its use of force training, required reporting, administrative review accountability, agency investment in professional training/ career development; proactive community involvement, education and open communication with the public - significantly contribute to the VCSO's overall success in keeping its UOF incidents to a minimum.

- PURSUIT ANALYSIS ON FOLLOWING PAGE -

FIGURE #8: 2016 PURSUIT MATRIX

Incident	Time	Reason for Pursuit	Method of Termination	Result in Crash	Injuries/Hospital	Avg/Max mph	Total Distance miles/time	Violator Eluded/Arrested	Within Policy
16-14709	20:27	Reported Armed Robbery w/ firearm	Subject abandoned the vehicle ----	No	No	60.84/90	2.4 miles/ 2 min. 22 sec.	Yes/Yes	YES
16-15783	22:05	Shooting w/ multiple victims	Lost visual - later found vehicle abandoned	No	No	48.72/74	1.8 miles/ 2 min. 13 sec.	Vehicle located - determined not to be suspect's car/ no occupants found	YES
16-15943	10:43	Reported Stolen Veh. And Aggravated Assault on LEO	Vehicles stopped and 2 subjects bailed prior to Dep.arrival ----- Deputy advised by witnesses.	No	No	81.6/90	6.8 miles/ 5 min.	Yes/ Both subjects arrested at separate locations w/o incident after establishing perimeter and use of K-9	NO

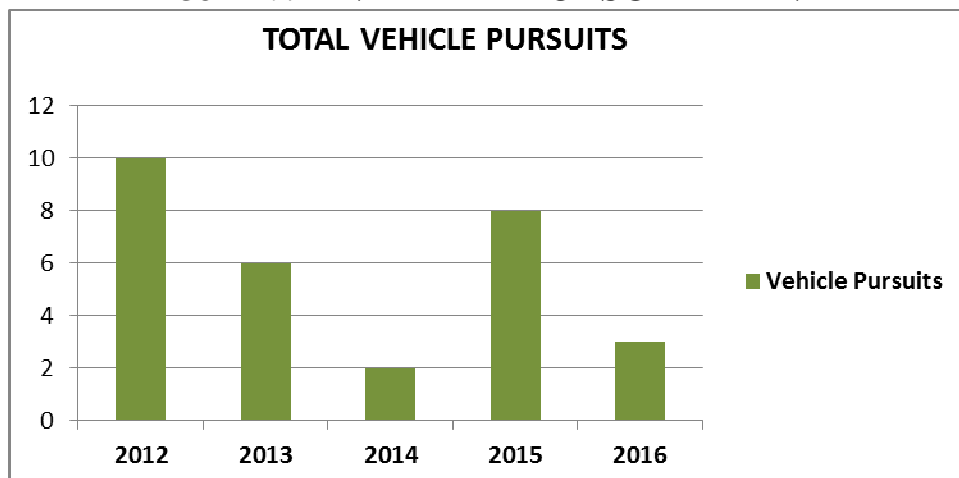
PURSUIT REVIEW:

There were 3 pursuits during 2016 representing a 63% decrease over 2015 and 50% decrease in the 5-year annual average of 6 pursuits.

One (1) of the 3 pursuits did not meet authorized criteria for initiating a pursuit and did not receive supervisory approval prior to initiating pursuit. The respective deputy was found in violation of agency policy and received counseling on both policy and deputy safety/tactics.

Supervisory and administrative reviews were well documented providing good detail.

FIGURE #9: FIVE-YEAR PURSUIT TREND



2016 REVIEW OF PURSUIT POLICY AND PRACTICES:

Although there were only 3 pursuits during 2016, review of agency policy and practices indicates good use of additional resources such as Air One, K-9 and support vehicles. Primary and support vehicles are functioning in their proper roles.

The agency trains all sworn officers in emergency vehicle operations and schedules additional training in use of PIT maneuvers. Only those Deputies with documented proficiency in PIT maneuvers may initiate such a pursuit termination technique. Since approved for use June of 2009, no use of the PIT maneuver has been made to date.

Supervisory and administrative reviews are being conducted and documented in accordance with policy and forwarded through chain-of-command. As with all incidents involving pursuits, Command Staff conducts final review for justification and policy adherence as presented by IA.

In addition to review of all pursuits, the agency conducts administrative reviews through chain of command on all motor vehicle apprehensions as a precautionary measure to ensure established procedures are being followed and that response does not elevate to pursuit mode in violation of policy. This review facilitates the early detection of potential training needs, ensures continued deputy safety, and preserves the intent of policy and integrity of practice. Documented progressive discipline is utilized when needed.

Overall, the combination of strict pursuit guidelines, training, supervisory authorization and review, and professional deputy restraint continue to keep the number of pursuits to minimum numbers. In addition, the supervisory authorization and the review process itself adds a level of accountability and an evaluation element to each incident which re-enforces the practice of individual professional restraint. This review process also provides a means to address any policy issues in a timely manner to ensure that practice continues to reflect procedure; no change to policy was required during this review period.

Professional Standards
April 25, 2017



Sheriff's

Volusia County

Michael J. Chitwood, Sheriff

To: Sheriff Michael J. Chitwood
Chief Deputy John Creamer

Date: May 30, 2018

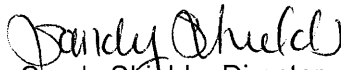
From: Sandy Shields 
Director Professional Standards

File: 116M019.18

Subject: 2018 Use of Force and Pursuit Analysis

Attached, please find the completed 2018 analysis on use-of-force and pursuits for the 2017 calendar year. Please advise if you have any further direction.

Respectfully submitted,



Sandy Shields, Director
Professional Standard Section

VOLUSIA COUNTY SHERIFF'S OFFICE



Sheriff Michael J. Chitwood

2018 ANNUAL ANALYSIS on 2017 Use of Force and Pursuits

In accordance with Standard Directives 1.1. Use of Force Guidelines, 1.3 Use of Less-Lethal Weapons and Devices and 41.2 Motor Vehicle Apprehension, the Professional Standards Section shall complete an annual analysis of all pursuits and use of force, to include use of deadly force, less-lethal force, and agency policies and practices.

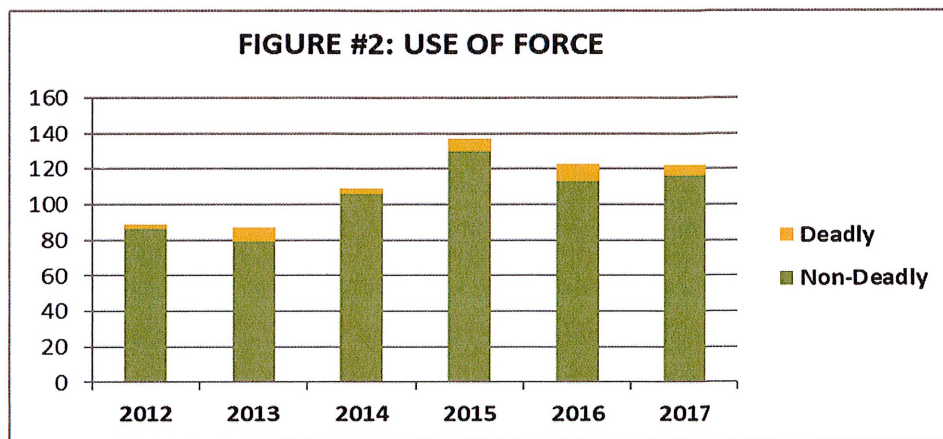
The purpose of the annual analyses is to provide an additional means outside of the administrative review process to identify and address training deficiencies/opportunities, use of force trends among Deputies, and for protection of the Deputy, the Sheriff's Office, and the community.

FIGURE #1: Five Year Statistical Review Summary

	2015	2016	2017
Total Calls For Service	283,067	268,812	275,384
Total Arrests (Source: UCR)	13,477	12,454	13,079
Total Index Crime Rate (Source: UCR)	2118	2053	1586
Deadly Force Incidents	7	10	6
Deadly Force Persons	4	6	6
Deadly Force Vicious Animals	3	4	0
Deadly Force Accidental Discharge	0	0	0
Less-Lethal Force Incidents	130	113	116
Total Use of Force Incidents	137	123	122
Total Vehicle Pursuits	8	3	5

2017 USE OF FORCE

During 2017, a total of 13,079 arrests were made by the Volusia County Sheriff's Office (Ref.: 2017 UCR statistics). In effecting these arrests, the number of incidents requiring use of force in response to subject resistance was 122 incidents, or less than 0.9% of total arrests and less than 0.044 % of all calls for service interactions with the public. The remaining 99% of all interactions were made without incident.



TREND ANALYSIS:

The above 6-year trend line indicates an increase upswing between 2014 and 2015; the trend begins to reverse in 2016, with 2017 showing a continued drop in use of force in response to subject resistance.

Further review of 2017 force data may reflect the agency's transition from the Warrior mind set and training to the Guardian approach.

DEADLY FORCE:

Of the 112 incidents of force in 2017, 6 incidents involved use of deadly force with a firearm against a person. Five (5) of the six (6) were investigated by the Florida Department of Law Enforcement (FDLE) and forwarded/reviewed by State Attorney's Office (SAO) and found no further action warranted. The remaining use of deadly force with a firearm was the result of firing in the general direction of hearing gun shots for the purpose of getting their attention (warning shots); there were no injuries during this incident. Per policy, the VCSO Major case conducted a criminal investigation and forwarded the report to the State Attorney Office.

[Source: IA 2017 Annual Report] -

17-7265 – On March 16, 2017, Deputy Shawn Adkins and Deputy Kyle Walter responded to the report of a mentally ill person in Deltona, FL. Deputies were met at the front door by the wife of the mentally ill person. The wife stated her husband was off his medication and became violent inside the residence by punching holes in the walls. Deputies attempted to establish a verbal dialogue with the subject. Attempts were made to speak with him. While deputies were still near the front door, they heard the distinct sound of a shotgun being cycled. Deputies moved away from the front door as the subject exited the front door holding a shotgun. Deputy Adkins gave verbal commands to drop the shotgun, which he refused and pointed the shotgun at Deputy Adkins. Deputy Adkins discharged his firearm, striking the subject multiple times mortally wounding him. FDLE completed the investigation and turned the case information over to the State Attorney's Office (SAO) for review. The SAO determined "*no further action*" would be taken by their office. On December 20, 2017 IA presented Sheriff Chitwood and his administrative staff with the completed investigation. Final disposition was determined justified and within policy.

[JUSTIFIED]

17-7513 – On May 9, 2017, VCSO deputies assisted DeLand P.D. with a report of a report of a male shooting at a business building. DeLand officers arrived on scene and observed a male with a firearm get into a black Mercedes and exit the parking lot. Stop Sticks were deployed striking two of the tires. The Mercedes traveled at a high rate of speed west and was involved in a traffic crash. Sgt. M. Chilcot and Deputy B. Lickiss arrived on scene and observed the driver holding and loading a handgun. After giving subject verbal commands to drop the firearm

a shot was heard. Deputies fired and struck the male fatally sounding him. FDLE completed the investigation and turned the case information over to the State Attorney's Office (SAO) for review. On 11/30/17, the SAO determined "*no further action*" would be taken by their office. Found justified and within policy.
[JUSTIFIED]

17-9655 – On April 10, 2017, Deputy Jenkins responded to a domestic disturbance in Deltona. Daughter stated father was attempting to drown her mother in the pool after physical altercation. Deputy Jenkins was walking up to the residence and the father pointed and discharged a flare gun at Deputy Jenkins. Deputy Jenkins returned fire striking the subject multiple times. The subject was transported to the hospital with non-life threatening injuries and charged with Attempted 2nd Degree Murder, Attempted Felony Murder and Aggravated Battery with Weapon. FDLE completed the investigation and turned the case information over to the State Attorney's Office (SAO) for review. On 08/30/17, the SAO determined "*no further action*" would be taken by their office. On December 20, 2017 IA presented Sheriff Chitwood and his administrative staff with the completed investigation. Final disposition was determined justified and within policy.
[JUSTIFIED]

17-14960 – On June 4, 2017, probationary Deputy K. Long was conducting an extra patrol on foot in Deltona. Deputy Long observed several four-wheelers on scene and heard gunshots in the distance and perceived he was being shot at by the operators of the four-wheelers. Deputy Long discharged his rifle in the direction of the gunshots multiple times, intentionally shooting high in order to get their attention (warning shots). No injuries were reported during the incident. Per policy for no injuries sustained in a deputy involved shooting, the VCSO Major case conducted a criminal investigation and forwarded the report to the State Attorney Office. On August 4, 2017, Sheriff Chitwood terminated Deputy Long's probation. On September 6, 2017, the SAO determined "*no further action*" would be taken by their office. On October 11th the investigation was presented to Sheriff Chitwood and his administrative staff. Sheriff Chitwood determined the use of deadly force to be in violation of policy and not justified.
[NOT JUSTIFIED]

17-17098 – On June 29, 2017, Deputy A. Chavez and Deputy S. Adkins responded to a 911 call regarding a suspicious male at the RaceTrack in Deltona. Deputies arrived and encountered the male in the bathroom preparing to inject narcotics and deputies attempted to take him into custody. Struggle ensued and Deputy Adkins attempted to use his Taser. Subject pulled the Taser from Deputy Adkins hand. Deputy Adkins transitioned to his firearm and fired multiple times striking the subject and causing fatal injury. FDLE completed the investigation and turned the case information over to the State Attorney's Office (SAO); the SAO determined "*no further action*" would be taken by their office. Final disposition was determined justified and within policy.
[JUSTIFIED]

17-19215 – On July 28, 2017, Deputy B. Louma, Deputy D. Teske and K-9 Deputy Brett Whitson responded to Daytona Beach reference to a fleeing carjacking suspect who had been located. During original carjacking that occurred in Deland shortly before, subject stole the vehicle and dragged owner causing severe injury. Subject then stole another vehicle and was involved in a traffic crash in Deland. Subject drove stolen vehicle to Daytona Beach where deputies made contact. Subject forced a vehicle off the side of the road, exited and entered the pickup truck (3rd stolen vehicle/carjacking) that was occupied by a male driver. The male driver exited as Deputy Whitson and his canine partner approached. Deputy Whitson gave verbal commands for subject to surrender. He refused to comply and jumped into driver's vacated seat. Deputies took positions at the front of the truck and off to the side on the driver side. Subject placed truck in drive and attempted to drive out of ditch. Deputy Louma and Teske fired as vehicle moved towards Deputy Louma. Subject was shot multiple times; injuries were not life

threatening. FDLE completed the investigation and turned the case information over to the State Attorney's Office (SAO); the SAO determined "*no further action*" would be taken by their office. Final disposition was determined justified and within policy.

[JUSTIFIED]

LESS-LETHAL FORCE:

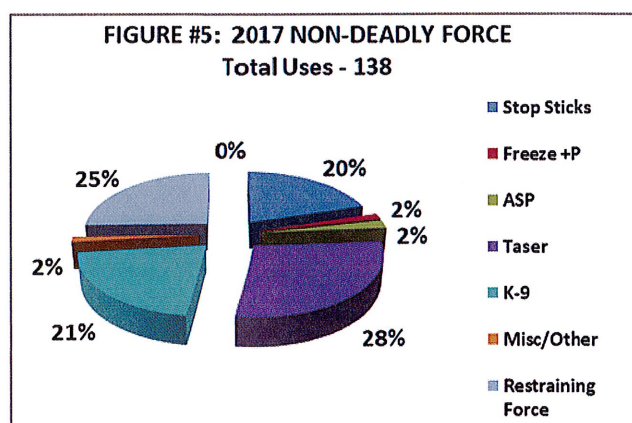
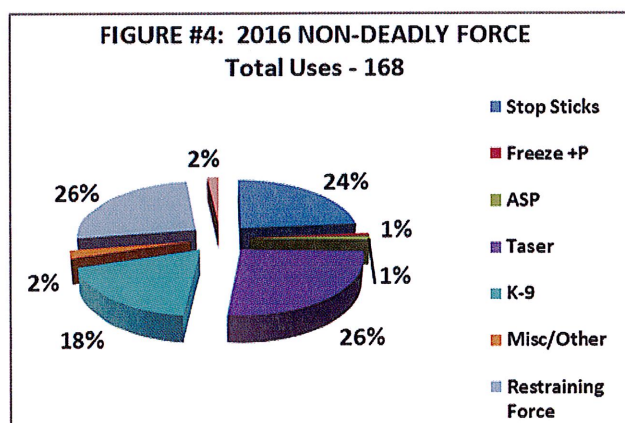
Based on the number of subjects and the level of subject-resistance, some incidents require multiple-deputy response and/or transition between more than one type of less-lethal force/weapon. Subsequently, more than one "use" of force per incident may be reported, resulting in a higher number of "uses" when compared to the number of "incidents" responded to.

In 2017, deputies responded to 116 different incidents requiring use of less-lethal force in response to subject(s) resistance. These 116 incidents required a combined total of 138 uses of various types of less-lethal force. The table below (figure 3) breaks down the less-lethal force by type and corresponding number of uses:

FIGURE #3: BREAKDOWN OF NON-DEADLY FORCE BY TYPE

TYPE OF USE:	2015 No. of Uses	2016 No. of Uses	2017 No. of Uses
Stop Sticks [Pursuit related]	36	40	28
Freeze +P	5	1	2
ASP	3	2	3
Taser	52	44	39
K-9	41	31	29
Drag-Stabilized Impact	0	0	0
Misc./Other (hobble, misc)	6	4	2
Restraining Force	54	43	35
Restraint Chair (ERC)	7	3	0
TOTAL COMBINED USES:	204	168	138

LESS-LETHAL FORCE BY TYPE: 2016-2017 COMPARISON



ANALYSIS BY TYPE OF FORCE:

Top Two Less-Lethal Options Utilized:

39 uses of Taser (28%)

35 uses of Restraining Force (25%)

TASER: Taser use remains in the top 4 less-lethal use of force options, with 28% of the total (39 uses). No specific trends or patterns of change were identified; all uses were administratively reviewed through the chain of command and all were found to be in compliance with policy. Taser continues to be a valuable less-lethal option for Deputies to use with little or no lasting effects or injury to the subject.

RESTRAINING FORCE: Restraining force represents 25% of all less-lethal force used during 2017 (35 uses).

INCIDENTS vs. USES:

The following chart (Figure #6) is a 5-year comparison in the numbers of less-lethal incidents to the subsequent uses of force in response to subject resistance.

NOTE: A “*use-to-incident ratio*” is also provided for a proportionate comparison between years:

FIGURE #6: LESS-LETHAL INCIDENTS VS. USES IN RESPONSE TO RESISTANCE

5-YEAR COMPARISON:	2013	2014	2015	2016	2017
Total Arrests	15,319	14,072	13,477	12,454	13,079
Total Less-Lethal Incidents	79	106	130	113	116
Total Uses of Force (Responses to Resistance)	126	160	204	168	138
<i>Average Uses of Force per Incident (Ratio)</i>	1.6	1.5	1.6	1.5	1.2
<i>Average Uses of Force per Arrest (Ratio)</i>	.008	.011	.015	.013	.011

Analysis of the above chart shows that while the number of less-lethal incidents and uses of force may increase/fluctuate, the proportionate use of force per incident (represented above as a ratio) remains consistent with the 5-year trend average of 1.5 uses per incident.

This consistent application of force regardless of the spikes and fluctuations in incidents over each of the 5 years may be attributed in part to the agency’s commitment to scenario-based training with emphasis on professional and effective command presence, swift control of the situation and subsequent de-escalation on the part of the Deputies.

Multiple-Deputy Response:

Of the 116 incidents responded to by the agency, 32 incidents (28%) required a combination of *multiple-deputy* response and accounted for 53 uses (38%) of less-lethal force:

2-Deputy response = 21 incidents (18%); 24 uses (17%)

3-Deputy response = 7 incidents (6%); 24 uses (17%)

5-Deputy response = 1 incident (1%); 5 uses (4%) [pursuit; 3 stop sticks; 2 K-9]

Single-Deputy Response

The remaining 84 incidents (72%) required single deputy response to resistance and accounted for 85 uses (62%) of less-lethal force.

2017 REVIEW OF USE OF FORCE POLICY AND PRACTICES:

Upon taking Office in January of 2017, Sheriff Chitwood began transitioning the agency from the “warrior” mindset/culture to that of the “guardian” and in May 2017, the Police Executive Research Forum was commissioned to conduct a full and comprehensive assessment of the

VCISO's use-of-force policies, procedures, training, deputy-involved shooting case files and overall "culture" regarding use-of-force.

At the time of this report (May 2018), additional feedback and recommendations provided by PERF as the study draws close to concluding has been implemented and/or planned for implementation later in 2018 and 2019 to include strengthening training through implementation of ICAT: Integrating Communications, Assessment, and Tactics as guidance for "how to" strengthen training in these areas. Key de-escalation principles including proportionality, tactical repositioning, reassessing use of force options, etc. have been added to all new and in-service training, and a comprehensive 8-hr training course will be implemented in January 2019.

The Sheriff has directed additional revisions to policy in regards to proportionality, use of the Critical Decision-Making Model and adding definitions of key concepts and terminology reference to force options. A proposed draft is under review by the deputy bargaining unit with adoption anticipated by June or July 2018.

Overall administrative reviews and supervisory investigation of all UOF incidents is well documented and in accordance with policy. Demographic data collection with the newly implemented IAPro software will provide

In December 2017, the outdated Personnel Early Warning System software (A.I.M.) was replaced with *IAPro*. *IAPro Blue Team* was launched in February of 2018. Internal Affairs indicates a vast improvement in reliability over the past system and in a very short time (approx. 3 months). In addition, this management software provides for collection of demographic data, which has not been feasible in the past.

Community engagement continues to build trust and new partnerships with the community. This investment in the community is vital to engaging all segments of the community and especially crucial when highly emotional incidents/events occur. Social media as a tool continues to raise awareness and open doors for future opportunities. Increased activities, engagement, making information immediately available thru social media, meeting with various communities in their respective community centers, churches, etc. and town hall meetings have helped to address concerns and/or misperceptions of law enforcement. The Sheriff's Office also continues to promote its citizens' academy and offers an open invitation to attend VCISO New Deputy Training for transparency and awareness on the Guardian approach to training. IAPro will make demographic information on use-of-force available to the public in its 2018 summary report during the first quarter of 2019.

- PURSUIT ANALYSIS ON FOLLOWING PAGE -

FIGURE #8: PURSUIT MATRIX

Incident	Time	Reason for Pursuit	Method of Termination	Result in Crash	Injuries/Hospital	Avg/Max mph	Total Distance miles/time	Violator Eluded/Arrested	Within Policy
16-30627	0:31	Reported Rec.Stolen Veh.- And Fleeing/Eluding	Deputy deactivated emergency equipment. – vehicle stop stuck	No/two unrelated veh. stop stuck	Yes/Yes	65 / 100	DB to LH	Yes/4 subjects arrested two at separate locations with use of K9.	Yes
16-32587	23:06	Assist - Reported stolen veh, Armed Robbery and Flee/Elude – DBPD veh. hit stop sticks. Auth. By Sgt.	Subject lost control & crashed into power pole & street sign.	Yes	No	100 / 80		Yes/Yes both suspects.	Yes
17-2115	02:56	Assist- Armed robbery/agg. Assault, Flee/elude	Subject crashed vehicle.	Yes	Yes/Yes	91		Yes/Yes	Yes
17-3462	11:31	Assist – Shooting, aggravated assault, flee/elude	Subject stopped for traffic light.	No	No	40		Yes/Yes	Yes
17-3488	18:35	Assist - Reported shooting, Flee/Elude	Subject pulled behind a residence.	No	No/Yes – subject complained of asthma	100/110	Ormond to Palm Coast	Yes/Yes	Yes

PURSUIT REVIEW:

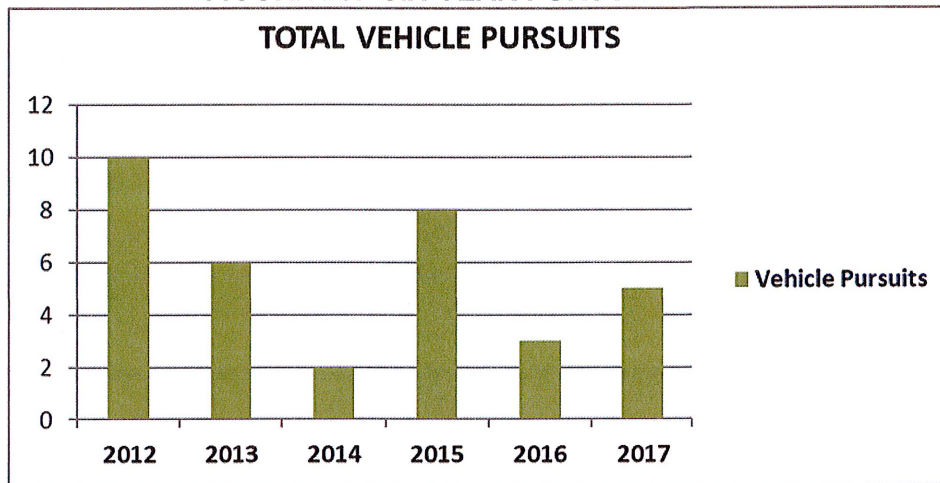
There were 5 pursuits during 2017; supervisory and administrative reviews were well documented providing good detail. Four (4) of the five (5) were initiated in assistance of other agencies.

Stop Sticks - During 2017, Stop Sticks were deployed twenty eight (28) times to prevent having to engage in active pursuits and/or in support of planned tactical measures to terminate pursuits. It is anticipated that under the new IAPRO Blue Team launched in early 2018, more detailed data collection on Stop Sticks will be available for reviews and analysis.

The below 6-year trend line 2012-2017 indicates an average of 5.7 pursuits/year.

Historical review for this period 2012-2017 reflects that of the 34 pursuits, 3 (9%) were found not in compliance with established policy.

FIGURE #9: SIX-YEAR PURSUIT TREND



REVIEW OF PURSUIT POLICY AND PRACTICES:

Review of agency policy and practices indicates good use of additional resources such as Air One, K-9 and support vehicles. Primary and support vehicles are functioning in their proper roles.

The agency trains all sworn officers in emergency vehicle operations, road blocks and Stop Sticks. The use of PIT maneuvers has been suspended and is not authorized unless deputies are selected to receive training and documented proficiency in such a pursuit termination technique. Since approved for use June of 2009, no use of the PIT maneuver has been made to date.

Supervisory and administrative reviews are being conducted and documented in accordance with policy and forwarded through chain-of-command. As with all incidents involving pursuits, Command Staff conducts final review for justification and policy adherence as presented by IA.

In addition to review of all pursuits, the agency conducts administrative reviews through chain of command on all motor vehicle apprehensions as a precautionary measure to ensure established procedures are being followed and that law enforcement response does not elevate to "pursuit mode" in violation of policy. This review facilitates the early detection of potential training needs, ensures continued deputy safety, and preserves the intent of policy and integrity of practice. Documented progressive discipline is utilized when needed.

Overall, the combination of strict pursuit guidelines, training, supervisory authorization and review, and professional deputy restraint continue to keep the number of pursuits to minimum numbers. In addition, the supervisory authorization and the review process itself adds a level of accountability and an evaluation element to each incident, which re-enforces the practice of individual professional restraint. This review process also provides a means to address any policy issues in a timely manner to ensure that practice continues to reflect procedure; no change to policy was required during this review period.

Professional Standards

May 24, 2018